

HOUSE No. 1874

By Mr. Binienda of Worcester, petition of Oscar Michaud for legislation to authorize licensed private investigators to investigate certain unsolved murders. Public Safety and Homeland Security.

The Commonwealth of Massachusetts

In the Year Two Thousand and Five.

AN ACT AUTHORIZING CERTAIN INVESTIGATORS TO CONDUCT MURDER INVESTIGATIONS.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 Notwithstanding any general or special law to the contrary, in
2 any murder case or disappearance which is presumed to be as a
3 result of a murder, which has gone unsolved for 5 years or more,
4 whether or not the murder case is still open or closed, the files of
5 the investigation thereof shall upon request be made available to
6 private investigators licensed under section 25 of chapter 147 of
7 the General Laws or to a military investigator with 5 years full
8 experience who is also licensed under section 25 of chapter 147 of
9 the General Laws or to a military investigator with 5 years of field
10 experience who is 65 years of age or older, who does not possess
11 such license but secures a certificate of authority from the com-
12 missioner of public safety and such persons may conduct an
13 investigation of the crime.

14 That such act, upon passage as a law, shall be effective immedi-
15 ately upon being enacted, that district attorneys of the Common-
16 wealth of Massachusetts must, upon request, by the
17 aforementioned qualified professional investigators, allow the
18 viewing and handling of the requested evidence, provided that
19 such handling does not defile the requested evidence. However,
20 the evidence in question must be viewed and handled in the pres-
21 ence of a person responsible for the keeping of such evidence and
22 excuses that the aforementioned keeper of the evidence is not

23 available must not be tolerated, that the viewing and handling of
24 the evidence must be complete during a period of no more than
25 seven working days and no less than five working days, each day
26 consisting of no less than five hours and no more than six hours of
27 viewing and handling evidence time each day.